

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JE* D.C.

05 JUN 23 PM 3:47

STEVEN SIMMONS,

Plaintiff,

VS.

NO. 04-2701-MaP

MID SOUTH TRANSPORTATION
MANAGEMENT, INC., ET AL.,

Defendants.

ROBERT R. DITOLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

SCHEDULING ORDER

The court held a status conference on this matter on June 20, 2005. Participating on behalf of the plaintiff was Emma Cole. Participating on behalf of the defendants was James Stock. The following schedule was agreed upon.

1. Defendant MATA's motion to dismiss and any motion to dismiss defendant Mid South Transportation wishes to file based on the result of arbitration are to be filed by July 20, 2005. Plaintiff's response is due August 19, 2005.
2. The deadline for completing discovery is April 20, 2006.
3. The deadline for filing potentially dispositive motions is May 19, 2006.

4. The parties will submit a joint proposed pretrial order by 4:30 p.m. on August 4, 2006.
5. A pretrial conference will be held on Friday, August 11, 2006, at 9:30 a.m.
6. The non-jury trial is set Monday, August 21, 2006, at 9:30 a.m.

Absent good cause, the scheduling dates set by this order will not be modified or extended.

The parties should conduct in-depth discovery consultations prior to filing any and all discovery motions. All motions, with the exception of motions to dismiss or motions for summary judgment, must be accompanied by a certificate of counsel verifying that the parties have been unable to resolve the dispute. The proposed joint pretrial order should include any stipulated facts, contested issues of fact and law, list of witnesses and exhibits, and should be signed by the attorneys for all parties.

If a jury trial has been requested, the parties should submit proposed jury instructions to the court at *the pretrial conference*. Failure to present the proposed instructions may be deemed a waiver with regard to presentation at a later date. If the action is to be tried by the judge, the parties will be

required to submit proposed findings of fact and conclusions of law in place of the proposed jury instructions.

So ORDERED this 21st day of June, 2005.



SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 24 in case 2:04-CV-02701 was distributed by fax, mail, or direct printing on June 28, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT